

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 73
IDAHO STATE COUNCIL FOR THE DEAF AND HARD OF HEARING

67-7301. DECLARATION OF PURPOSE. The legislature finds that Idaho's deaf and hard of hearing citizens make up thirteen percent (13%) of the state's population, with approximately one-half (1/2) of this constituency being elderly. Deaf and hard of hearing individuals are capable of doing everything well except hearing. The deaf and hard of hearing need help in bridging the communication gap into the hearing world. Deaf and hard of hearing individuals deserve equal access to jobs, housing, education, and information. Unfortunately, the needs of the deaf and hard of hearing have long been overlooked and underserved. Services that are available are fragmented and incomplete. There is an urgent need for an entity to coordinate state-level programs to assure accommodation and access services for the deaf and hard of hearing. The purpose of this chapter is to establish an advisory council for the deaf and hard of hearing whose mission will be to create an environment in which deaf and hard of hearing Idahoans of all ages have an equal opportunity to participate fully as active, responsible, productive, and independent citizens of the state.

[67-7301, added 1991, ch. 122, sec. 1, p. 265; am. 2020, ch. 12, sec. 7, p. 26.]

67-7302. DEFINITIONS. As used in this chapter:

(1) "Advocacy" means to act in the interests of the deaf and hard of hearing population.

(2) "Council" means the Idaho state council for the deaf and hard of hearing.

(3) "Deaf" means those in whom the sense of hearing is not functional for the ordinary purposes of life. "Deaf" includes several kinds of deafness: prelingually deaf, postlingually deaf and deafened as defined by the Gallaudet university study on hearing loss.

(4) "Hard of hearing" means those persons whose hearing is diminished to an extent that makes hearing difficult but does not preclude the understanding of spoken communication through the ear alone, with or without a hearing aid.

[67-7302, added 1991, ch. 122, sec. 1, p. 265; am. 2020, ch. 12, sec. 8, p. 27.]

67-7303. IDAHO STATE COUNCIL FOR THE DEAF AND HARD OF HEARING CREATED. (1) The Idaho state council for the deaf and hard of hearing is hereby created. The council shall be the interdepartmental and interagency planning and advisory body for the departments and agencies of the state for programs and services affecting persons who are deaf or hard of hearing.

(2) For budgetary purposes and for administrative support purposes, the council shall be assigned, by the governor, to a department or office within the state government. However, this assignment shall not interfere with the interdepartmental and interagency planning, coordinating, influencing, evaluating and monitoring functions of the council.

[67-7303, added 1991, ch. 122, sec. 1, p. 266; am. 2020, ch. 12, sec. 9, p. 27.]

67-7304. COMPOSITION. (1) The council shall consist of nine (9) members to be appointed by the governor.

(2) Membership shall be as follows: one (1) member shall be a deaf person representing an association of the deaf, one (1) member shall be a deaf person, one (1) member shall be the parent of a deaf child, one (1) member shall be a hard of hearing member of a hard of hearing consumer organization, one (1) member shall be a hard of hearing person over the age of sixty (60) years, one (1) member shall be the parent of a hard of hearing child, one (1) member shall be a licensed sign language interpreter, one (1) member shall be a licensed physician, and one (1) member shall be an ASHA-certified audiologist.

(3) The following shall serve as ex officio nonvoting members of the council: a representative from each of the following: the Idaho bureau of educational services for the deaf and the blind, the state department of education, the division of vocational rehabilitation, the commission on aging, the department of health and welfare, the bureau of occupational licenses, the department of labor, the public utilities commission, the consumer protection division of the office of the attorney general, and the director of the council for the deaf and hard of hearing.

(4) Due regard shall be given to balanced representation from geographical and demographic areas of the state for voting members of the council.

(5) Voting members of the council shall be compensated as provided in section [59-509](#)(b), Idaho Code.

[67-7304, added 1991, ch. 122, sec. 1, p. 266; am. 2009, ch. 168, sec. 8, p. 510; am. 2020, ch. 12, sec. 10, p. 27.]

67-7305. APPOINTMENT AND TERM OF OFFICE. (1) Council members' terms shall be for three (3) years.

(2) For purposes of the initial appointments, the deaf person representing an association of the deaf, the hard of hearing person representing a hard of hearing consumer organization, and the licensed physician shall be appointed for three (3) year terms; the deaf person, the hard of hearing person over the age of sixty (60) years and the audiologist shall be appointed for two (2) year terms; and the parent of a deaf child, the parent of a hard of hearing child and the interpreter for the deaf shall be appointed for a one (1) year term.

(3) A vacancy occurring in the membership of the council shall be filled by appointment of the governor for the unexpired portion of the vacated term.

(4) Members may be replaced because of poor attendance, lack of participation in the council's work, or malfeasance in office.

[67-7305, added 1991, ch. 122, sec. 1, p. 266.]

67-7306. ORGANIZATION OF COUNCIL -- EMPLOYMENT OF NECESSARY PERSONNEL. (1) The council members shall elect a chairman from among the council membership who shall serve for a one (1) year term.

(2) The council shall adopt and amend bylaws governing its proceedings, activities and organization including, but not limited to, provisions for election of officers other than the chairman; provision for a quorum, proce-

dure, frequency and location of meetings; and establishment, functions and membership of council committees.

(3) The council shall employ and fix the compensation, subject to provisions of [chapter 53, title 67](#), Idaho Code, of such personnel as may be necessary including, but not limited to, a full-time administrator, who shall be designated as the executive director of the council and who shall be exempt under the provisions of [chapter 53, title 67](#), Idaho Code.

[67-7306, added 1991, ch. 122, sec. 1, p. 267.]

67-7307. RESPONSIBILITIES AND DUTIES. The council shall:

(1) Work to increase access to employment, educational and social-interaction opportunities for deaf and hard of hearing individuals.

(2) Increase awareness of the needs of the deaf and hard of hearing through educational and informational programs.

(3) Encourage consultation and cooperation among departments, agencies and institutions serving the deaf and hard of hearing.

(4) Provide a network through which all state and federal programs dealing with deaf and hard of hearing individuals can be channeled.

(5) Determine the extent and availability of services to the deaf and hard of hearing, determine the need for further services and make appropriate recommendations to government officials to ensure that the needs of deaf and hard of hearing citizens are best served.

(6) Coordinate, advocate for, and recommend the development of public policies and programs that provide full and equal opportunity and accessibility for deaf and hard of hearing persons in Idaho.

(7) Monitor consumer protection issues that involve the deaf and hard of hearing population of the state of Idaho.

(8) Submit periodic reports to the governor, the legislature, and departments of state government on how current federal and state programs, rules, regulations, and legislation affect services to persons who are deaf or hard of hearing.

[67-7307, added 1991, ch. 122, sec. 1, p. 267; am. 2020, ch. 12, sec. 11, p. 28.]

67-7308. SHORT TITLE. This chapter shall be known and may be cited as the "Idaho State Council for the Deaf and Hard of Hearing Act."

[67-7308, added 1991, ch. 122, sec. 1, p. 268; am. 2020, ch. 12, sec. 12, p. 28.]